

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

DR. MORGAN REYNOLDS on behalf of the  
UNITED STATES OF AMERICA,

Plaintiff,

v.

SCIENCE APPLICATIONS INTERNATIONAL  
CORP.; APPLIED RESEARCH ASSOCIATES,  
INC.; BOEING; NuSTATS; COMPUTER  
AIDED ENGINEERING ASSOCIATES,  
INC.; DATASOURCE, INC.; GEOSTAATS,  
INC.; GILSANZ MURRAY STEFICEK LLP;  
HUGHES ASSOCIATES, INC.; AJMAL  
ABBASI; EDUARDO KAUSEL; DAVID  
PARKS; DAVID SHARP; DANIELE  
VENEZANO; JOSEF VAN DYCK; KASPER  
WILLIAM; ROLF JENSEN & ASSOCIATES,  
INC.; ROSENWASSER/GROSSMAN  
CONSULTING ENGINEERS, P.C.; SIMPSON  
GUMPERTZ & HEGER, INC.; S.K. GHOSH  
ASSOCIATES, INC.; SKIDMORE, OWINGS &  
MERRILL, LLP; TENG & ASSOCIATES, INC.;  
UNDERWRITERS LABORATORIES, INC.;  
WISS, JANNEY, ELSTNER ASSOCIATES,  
INC.; AMERICAN AIRLINES; SILVERSTEIN  
PROPERTIES; and UNITED AIRLINES,

Defendants.

Case No. 07CV4612  
(GBD)

**CERTIFICATION OF  
PHILIP C. SEMPREVIVO**

Philip C. Semprevivo, an attorney duly admitted to practice law in the State of New York, including the U.S. District for the Southern District of New York, certifies the following under penalty of perjury:

1. I am a member of Biedermann, Reif, Hoenig & Ruff, P.C., attorneys for defendant Underwriters Laboratories, Inc. ("UL") in the within matter. As such, I am familiar with the facts and circumstances surrounding this action based upon a review of the file maintained by this law office.

2. I submit this Certification in support of UL's Motion for Rule 11 Sanctions and Memorandum Of Law In Support Of Motion For Rule 11 Sanctions, PURSUANT TO Rule 11(c) of the Federal Rules of Civil Procedure.

3. Attached hereto is a true and complete copy of the QUI TAM COMPLAINT and JURY DEMAND filed by Plaintiff on May 31, 2007, labeled Exhibit A.

4. Attached hereto is a true and complete copy of the QUI TAM COMPLAINT and JURY DEMAND filed by Judy Wood on April 25, 2007, labeled Exhibit B.

5. Attached hereto as Exhibit C, are copies of articles and press releases concerning this case, the Wood case, and the Relator's complaints against NIST. Notably, several of the press releases provide links to Mr. Leaphart's email address and Relator's own websites.

6. Attached hereto are true and complete copies of information from the Scholars for 9/11 Truth website, including its full group membership list and associate member list, and various press releases, labeled Exhibit D.

7. Attached hereto are true and complete copies of documentation providing information regarding Relator's Counsel, Mr. Leaphart's own speaking engagements

promoting the common agenda between Mr. Leaphart and the Relator in the above captioned action, Mr. Reynolds, labeled Exhibit E.

8. Attached hereto are true and complete copies of various pages from Relator's website, "nomoregames.net," labeled Exhibit F.

9. UL respectfully refers the Court to Defendant UNDERWRITERS LABORATORIES, INC.'S Memorandum of Law In Support of Motion For Rule 11 Sanctions attached herein, and requests that the Court award it attorneys' fees and expenses due to the frivolous nature of the Relator's complaint. As discussed fervently in both the ARA Motion, for which Defendant UL has joined, as well as the Memorandum Of Law In Support Of Motion For Rule 11 Sanctions by Defendant UL, the Relator's complaint lacks any merit in both fact and law. Clearly, the Relator's complaint has no chance of success as it premised upon outlandish theories and baseless allegations.

**WHEREFORE**, for all the foregoing reasons, in addition to all of the arguments set forth in the UL Motion for Rule 11 Sanctions and Memorandum Of Law In Support thereof, Defendant Underwriting Laboratories, Inc. seeks an Order:

- (a) Imposing sanctions brought pursuant to Rule 11 of the Federal Rules of Civil Procedure;
- (b) awarding Underwriting Laboratories, Inc. attorneys' fees and expenses; and
- (c) granting such other and further relief as this Court deems just and proper.

Dated: November 8, 2007

Respectfully submitted,

BIEDERMANN, REIF, HOENIG & RUFF, P.C.

By: 

Philip C. Semprevivo (PS1526)

570 Lexington Avenue  
New York, New York 10022  
(212) 697-6555  
[psemprevivo@bhmr.com](mailto:psemprevivo@bhmr.com)

*Attorneys for Defendant Underwriters  
Laboratories, Inc.*

**CERTIFICATION OF SERVICE**

I hereby certify that on November 9, 2007, our office electronically served the Relator and all other parties who as of that date had appeared in the action, copies of the following documents pursuant to Underwriters Laboratories, Inc.'s Motion for Rule 11 Sanctions: Notice of Motion for Rule 11 Sanctions; Certification of Philip C. Semprevivo; Memorandum of Law In Support of Motion for Rule 11 Sanctions by Defendant, Underwriters Laboratories, Inc.; and corresponding Exhibits to Memorandum of Law In Support of Motion for Rule 11 Sanctions.

I hereby certify that on November 12, 2007, our office mailed hardcopies of the Corresponding Exhibits to the Memorandum of Law In Support of the Motion for Rule 11 Sanctions to the Relator's Counsel via federal express mail.

I hereby certify that on December 7, 2007, I electronically filed the foregoing Certification with the Clerk of Court using the CM/ECF system, which will send notification of filing to the following e-mail addresses:

Jerry V. Leaphart, Esq.  
[jsleaphart@cs.com](mailto:jsleaphart@cs.com)  
*Attorney for Relator*

Gail D. Zirkelbach, Esq.  
Adam S. Ennis, Esq.  
William David Byassee, Esq.  
E. Leslie Hoffman, III, Esq.  
[gdzirkelbach@jacksonkelly.com](mailto:gdzirkelbach@jacksonkelly.com)  
[aennis@jacksonkelly.com](mailto:aennis@jacksonkelly.com)  
[dbyassee@jacksonkelly.com](mailto:dbyassee@jacksonkelly.com)  
[phoffman@jacksonkelly.com](mailto:phoffman@jacksonkelly.com)  
*Attorneys for Applied Research Associates, Inc.*

David M. Pollock, Esq.  
[dpollock@donovanhatem.com](mailto:dpollock@donovanhatem.com)  
*Attorney for Simpson, Gumpertz & Heger, Inc. and  
Computer Aided Engineering Associates, Inc.*

Philip Touitou, Esq.  
[ptouitou@hinshawlaw.com](mailto:ptouitou@hinshawlaw.com)  
*Attorney for Wise, Janney, Elstner Associates, Inc.*  
*Rolf Jensen Associates, Inc., and*  
*Teng & Associates, Inc.*

Chad Everett Sjoquist, Esq.  
[csjoquist@zdlaw.com](mailto:csjoquist@zdlaw.com)  
*Attorney for Skidmore, Owings & Merrill, LLP*

Louis J. Dennis, Esq.  
[ldennis@zdlaw.com](mailto:ldennis@zdlaw.com)  
*Attorney for Skidmore, Owings & Merrill, LLP*

Dina R. Jansenson, Esq.  
[djansenson@fzw.com](mailto:djansenson@fzw.com)  
[service@fzw.com](mailto:service@fzw.com)

Sean Thomas O'Leary, Esq.  
[soleary@wkgj.com](mailto:soleary@wkgj.com)

Jason Andrew Harrington, Esq.  
[Jason.harrington@wilsonelser.com](mailto:Jason.harrington@wilsonelser.com)

Renee C. Choy, Esq.  
Kevin R. Sido, Esq.  
[rchoy@hinshawlaw.com](mailto:rchoy@hinshawlaw.com)  
[ksido@hinshawlaw.com](mailto:ksido@hinshawlaw.com)

Jeffrey Steven Margolin, Esq.  
[margolin@hugheshubbard.com](mailto:margolin@hugheshubbard.com)  
*Attorney for Teng & Associates, Inc.*

Edward B. Keidan  
[ebk@cmcontractors.com](mailto:ebk@cmcontractors.com)  
*Attorney for Teng & Associates, Inc.*

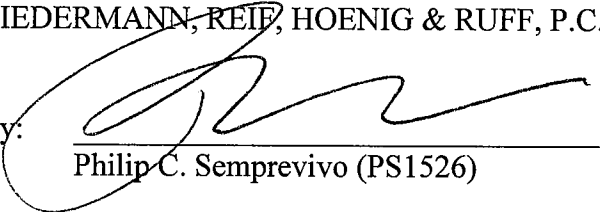
And I hereby certify that I have mailed or served the document or paper to the following non-CM/ECF participants by U.S. Mail, first class, postage prepaid and addressed to the following:

None.

Dated: December 7, 2007

BIEDERMANN, REIF, HOENIG & RUFF, P.C.

By:

  
Philip C. Semprevivo (PS1526)

570 Lexington Avenue  
New York, New York 10022  
(212) 697-6555  
[psemprevivo@bhmr.com](mailto:psemprevivo@bhmr.com)

*Attorneys for Defendant Underwriters  
Laboratories, Inc.*